

NOTICE OF ADR PILOT PROGRAM

The United States Court of Federal Claims has been a leader in the use of ADR since the inception of General Order No. 13 on April 15, 1987. At that time, the court realized that rising litigation costs and delay were inherent in the traditional judicial resolution of complex legal claims. In response to these concerns, the court implemented two methods of alternative dispute resolution: settlement judges and mini-trials. On November 8, 1996, General Order No. 13 was amended to include the use of third-party neutrals as an additional method of alternative dispute resolution.

Continuing with this tradition to provide litigants with alternative techniques as a means of case resolution, the U.S. Court of Federal Claims is pleased to announce an ADR Pilot Program beginning on April 2, 2001. Under the program, all cases (with the exception of bid protest cases) assigned to Judge Lawrence M. Baskir, Judge Nancy B. Firestone, Judge Bohdan A. Futey, or Judge James T. Turner, will be simultaneously assigned to one of five ADR judges: Judge Robert H. Hodges, Senior Judge Thomas J. Lydon, Judge Christine O.C. Miller, Judge Marian Blank Horn, or Judge Diane Gilbert Sypolt. The goal of the pilot is to determine whether early neutral evaluation by a settlement judge will help the parties reach a better understanding of their differences and their prospects for settlement.

Attached is a Notice of ADR Pilot Procedures that will be issued by the court in each case in the pilot program. Also attached are form pleadings to be used by parties. All information and documents submitted to the ADR judge for purposes of ADR will be kept confidential; they will not be included in the court's official file, and they will not be disclosed to any person not participating in the ADR process.

We look forward to receiving comments on the pilot program. Comments may be sent to Margaret M. Earnest, Clerk of the Court, 717 Madison Place, N.W., Washington, D.C. 20005, (202) 208-4953 [fax], or e-mail to : ADR_Comments@ao.uscourts.gov.